

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 1:13-md-2419-RWZ

THIS DOCUMENT RELATES TO:

ALL CASES.

CONSENT MOTION TO ENTER STANDING ORDER GOVERNING
CERTAIN PROCEDURAL ISSUES

The Plaintiffs' Steering Committee hereby moves the Court to enter a standing order governing certain procedural requests in the MDL proceeding, and in support thereof states the following:

1. In the status conference held in this Court on September 18, 2014 the Court requested assistance from counsel about establishing a protocol for handling the large volume of "mechanical motions" that are being filed in this case.¹

2. The Plaintiffs' Steering Committee has prepared a proposed MDL Order No. 11 addressing certain procedural requests, including the following:

- a. Motions to extend deadlines for discovery and for briefing;
- b. Motions for leave to file replies and sur-replies; and
- c. Motions for leave to exceed page limits.

3. The proposed order reflects the efforts of the Plaintiffs' Steering Committee to reach out to all defense counsel in the MDL, including opportunities to review several drafts, and a telephone conference available to all interested parties and conducted on October 20, 2014.

¹ Transcript of Status Conference, September 18, 2014, p. 42.

Those defendants that raised objections to the original draft have given their consent to the filing of this motion and entry of the attached Order.

WHEREFORE, the Plaintiffs' Steering Committee hereby moves the Court to enter the attached Order.

Dated: October 31, 2014

RESPECTFULLY SUBMITTED,

/s/ Patrick T. Fennell

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Patrick T. Fennell, hereby certify that I caused a copy of the above *Consented to Motion to Enter Standing Order Governing Certain Procedural Issues* to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access this filing through the Court's system, and notice of this filing will be sent to those parties by operation of the Court's CM/ECF system.

Dated: October 31, 2014

/s/Patrick T. Fennell
Patrick T. Fennell, VSB 40393